IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.1165 OF 2006

Raju Shamrao Nale & Ors. ..Petitioners.

V/s.

M/s.Sunil Anant Hawal & Ors. ..Respondents.

Mr.P.R.Arjunwadkar for petitioners.

Mr.M.D.Parab for respondents.

CORAM : V.C.DAGA, J.

DATED : 17TH MARCH, 2006.

P.C. :-

This petition is directed against the order passed below Exhs.16, 19, 23 & 24 in Special Darkhast No.168/2004 whereby all the three applications came to be rejected. During the course of hearing, it is brought to my notice that by order dated 25th November, 2005 passed below Exh.11 by the Executing Court has directed issuance of proclamation for auction of the property to the extent of undivided share of Pradip Shamrao Nale. In view of this, the apprehension of the petitioner that the entire property is put to sale is devoid of any substance. In that view of the matter, it is necessary to entertain this petition.

Petition is dismissed in limine with no order as to costs.

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